



# City of West Allis

## Meeting Minutes

### Common Council

*Mayor Dan Devine, Chair*  
*Aldersperson Thomas G. Lajsic, Council President*  
*Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Michael P. May,*  
*Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,*  
*James W. Sengstock, Vincent Vitale, and Martin J. Weigel*

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Tuesday, October 15, 2013

7:00 PM

City Hall Common Council Chambers

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#### REGULAR MEETING

##### A. CALL TO ORDER

*The meeting was called to order by Mayor Devine at 7:00 p.m.*

##### B. ROLL CALL

**Present** 8 - Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Sengstock, Ald. Vitale,  
and Ald. Weigel

**Excused** 2 - Ald. Barczak, and Ald. Reinke

##### C. PLEDGE OF ALLEGIANCE

*The Pledge of Allegiance was led by Ald. May.*

##### D. PUBLIC HEARINGS

1. [R-2013-0237](#) Resolution to approve the Year 2014 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).

**Sponsors:** Administration & Finance Committee

*Explanation by Patrick Schloss, Manager of Community Development.*

*Appearances: None.*

2. [O-2013-0041](#) Ordinance to amend the official West Allis Zoning Map by rezoning property located at 6502 W Burnham St. from RB-2 Residence District to C-2 Neighborhood Commercial District.

**Sponsors:** Safety & Development Committee

*Explanation by John Stibal, Director of Development.*

*Appearances:*

*Carol Graham, 1808 S. 63 St., asked about the location and commented on upkeep.*

*Ryan, 2165 S. 60 St., asked about occupancy of the property and jobs.*

3. [R-2013-0231](#) Resolution relative to determination of Special Use Permit for Midcoast Auto, a proposed vehicle repair business, to be located at 1909 S. 74 St.

**Sponsors:** Safety & Development Committee

*Explanation by John Stibal, Director of Development.*

*Appearances: None.*

4. [R-2013-0233](#) Resolution relative to determination of Special Use Permit for CrossFit West Allis, a proposed athletic training facility, to be located at 2086 S. 56 St.

**Sponsors:** Safety & Development Committee

*Explanation by John Stibal, Director of Development.*

*Appearances:*

*Karen Kudlik for Raymond Wesley, 2051 S. 55 St., commented on the presence of a gym already, and addressed her concerns with regard to noise, traffic, parking, and property value.*

5. [R-2013-0230](#) Resolution relative to determination of Special Use Permit Amendment to establish Iago's Burrito Heaven, a proposed new restaurant, to be located at 9130 W. Greenfield Ave.

**Sponsors:** Safety & Development Committee

*Explanation by John Stibal, Director of Development.*

*Appearances: None.*

6. [R-2013-0232](#) Resolution relative to determination of Special Use Permit for an outdoor extension of premise at The Buzzard's Nest, an existing tavern, located at 6000 W. Mitchell St.

**Sponsors:** Safety & Development Committee

*Explanation by John Stibal, Director of Development.*

*Appearances: None.*

#### E. CITIZEN PARTICIPATION

*Carol Graham, 1808 S. 63 St., asked about water bill payments, and commented on the elimination of salt routes and removal of salt barrels.*

*Ryan, 2165 S. 60 St., commented on rats in his neighborhood and asked about a plan of action.*

## F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

*Mayor Devine announced that the following Committees would meet during recess: Administration & Finance, Public Works, Safety & Development, License & Health, and Advisory.*

## G. MAYOR'S REPORT

*Mayor Devine reported on the groundbreaking for an office complex at 70th and Walker. He thanked the company, the Development Department, and the WAWM School District.*

*He announced the downtown's Halloween Hunt, the CAAD's Halloween event at Greenfield Park, the Meet 'n Treat, and the annual Breakfast of Thanks and Giving.*

## H. ALDERPERSON'S REPORT

*Ald. Probst commented on the groundbreaking on 70 St., and announced a historical exhibit at Nathan Hale High School.*

*Ald. May reported on the citywide cleanup and on his appearance at Frank Lloyd Wright School relative to engineering as a career.*

## I. APPROVAL OF MINUTES

*to approve the minutes of the regular meeting of October 1, 2013*

## J. ITEMS NOT REFERRED TO COMMITTEE

7. [2013-0593](#) Report of the Municipal Judge for the month of September 2013, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$118,654.40.

*Attachments:* [Mun Judge Report Sept 2013.pdf](#)

8. [2013-0588](#) Amended Summons and Complaint in the matter of MNH Sub, I, LLC, vs Diane L. Elich, et al, regarding foreclosure of mortgage, Case No.13-CV-006048.

**Passed The Block Vote**

## K. STANDING COMMITTEE REPORTS

*None.*

## L. COMMON COUNCIL RECESS

*that the Council recess until completion of Committee meetings*

*Thereupon, the Council took a recess at 7:42 p.m. Upon returning from recess at 8:32 p.m., and the roll call being taken, there were:*

- Present** 8 - Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel
- Excused** 2 - Ald. Barczak, and Ald. Reinke

## M. NEW AND PREVIOUS MATTERS

**ADMINISTRATION & FINANCE COMMITTEE**

9. [R-2013-0235](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 1102 (Risk Management) under Administration & Finance.

**Sponsors:** Administration & Finance Committee

**Attachments:** [Policy 1102.Attachments.pdf](#)  
[ADM02.Markup 101513.pdf](#)

10. [R-2013-0234](#) Resolution to approve a Commercial Facade Improvement Project Contract by and between the City of West Allis and Lawrence and Melodie Pryor, members of Larodie Property LLC, the property owners for the property located at 6000-02 W. Mitchell St. in an amount of up to \$20,000.

**Sponsors:** Administration & Finance Committee

11. [R-2013-0236](#) Resolution to approve a Commercial Facade Improvement Project Contract by and between the City of West Allis and Dana Derrick, D.C., property owner for the Derrick Family Chiropractic property located at 6508 W. Lincoln Ave. in an amount of up to \$10,000.

**Sponsors:** Administration & Finance Committee

12. [R-2013-0238](#) Resolution relative to accepting the sole source proposal of Ricoh for providing imaging software updates and licenses for a total net sum of \$9,932.00.

**Sponsors:** Administration & Finance Committee

**Attachments:** [1213 Ricoh Imaging Software sole source letter.pdf](#)

13. [2013-0606](#) 2014 City of West Allis Mayor's Recommended Budget.

**Attachments:** [2014 Rec Budget.pdf](#)

*Held in Administration & Finance Committee during recess.*

**City Attorney Claim Report**

14. [2011-0502](#) Summons and Complaint in the matter of Ridgestone Bank vs. Zion Property, LLC, et al, regarding foreclosure of mortgage, Case No. 11CV012371.

15. [2012-0370](#) Summons and Complaint in the matter of Bank of America, N.A., vs Heidi M. Barrera Rios, et al, regarding foreclosure of mortgage, Case No. 12CV006812.
16. [2013-0506](#) James Altstadt communication regarding vehicle damages allegedly sustained on S. 108 St. and W. Mitchell St. on August 5, 2013.
17. [2013-0574](#) Acuity communication submitted on behalf of Amanda Wrasse regarding vehicle damages allegedly sustained at S. 108 St. and W. Mitchell St. on August 5, 2013.
18. [R-2013-0224](#) Resolution to approve the Year 2014 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Preliminary).

*Sponsors:* Administration & Finance Committee

19. [R-2013-0237](#) Resolution to approve the Year 2014 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).

*Sponsors:* Administration & Finance Committee

#### Passed The Block Vote

**Aye:** 8 - Ald. Czuplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

**No:** 0

#### PUBLIC WORKS COMMITTEE

20. [R-2013-0227](#) Resolution relative to amending a Professional Services Contract with R.A. Smith National, Inc. in the amount of \$15,500 to prepare traffic signal plans for inclusion in the WisDOT Zoo Interchange Traffic Management Plan project scheduled for 2014.

*Sponsors:* Public Works Committee

*Attachments:* [RA Smith Amendment to Agreement.pdf](#)

22. [R-2013-0229](#) Resolution relative to accepting the proposal of Bruce Municipal Equipment for furnishing and installing one rear load refuse collection packer for a total sum of \$87,212.00.

*Sponsors:* Public Works Committee

*Attachments:* [1206 Refuse Collection Packer.pdf](#)

21. [R-2013-0228](#) Resolution relative to accepting the proposal of Casper's Truck Equipment for furnishing and delivering one 9' Dump Body, Hydraulic System and 3.5 cu. yd. Auger Spreader for a total sum of \$25,992.00.

**Sponsors:** Public Works Committee

**Attachments:** [1203 Dump Body-Hyd Sys-Auger Spreader.pdf](#)  
[1203 Revised Hyd System.pdf](#)

23. [R-2013-0240](#) Resolution relative to amending the agreement with Ayres Associates Inc. for additional consulting work at the Lincoln Avenue landfill site for an estimated sum of \$5,400.00.

**Sponsors:** Public Works Committee

**Attachments:** [Ayres.pdf](#)

#### Passed The Block Vote

**Aye:** 8 - Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

**No:** 0

#### SAFETY & DEVELOPMENT COMMITTEE

24. [O-2013-0040](#) An Ordinance to Establish Parking Restrictions on Both Sides of the 1000, 1100 and 1200 Blocks of S. 57 Street.

**Sponsors:** Ald. Vitale

25. [R-2013-0239](#) Resolution to approve a Subrecipient Agreement between the City of West Allis and Milwaukee County for the award of federal HOME funds from the Milwaukee County HOME Consortium.

**Sponsors:** Safety & Development Committee

**Attachments:** [R-2013-0239 signed](#)  
[R-2013-0239 unsigned agreement](#)

26. [2013-0608](#) Special Use Permit for Anchor Bank, an existing bank to be demolished and reconstructed with a drive-through at 7401 W. Greenfield Ave.

*Held in Safety & Development Committee during recess.*

27. [2013-0609](#) Special Use Permit for King Spa, a proposed massage and wellness center to be located at 3036 S. 92 St.

*Held in Safety & Development Committee during recess.*

28. [2013-0348](#) Special Use Permit for an expansion of use to relocate fuel tanks from 551 S. Curtis Rd to 571-79 S. Curtis Rd. and to provide cross access between parcels on the Zignego Ready Mix properties, submitted by Paul Zignego.

Attachments: [Petition Zignego SUP 7-1-13.pdf](#)  
[Zignego SUP letter 7-1-13.pdf](#)

29. [O-2013-0041](#) Ordinance to amend the official West Allis Zoning Map by rezoning property located at 6502 W Burnham St. from RB-2 Residence District to C-2 Neighborhood Commercial District.

**Sponsors:** Safety & Development Committee

*Held in Safety & Development Committee during recess.*

30. [R-2013-0231](#) Resolution relative to determination of Special Use Permit for Midcoast Auto, a proposed vehicle repair business, to be located at 1909 S. 74 St.

**Sponsors:** Safety & Development Committee

31. [2013-0584](#) Special Use Permit for Midcoast Auto, a proposed vehicle repair business, to be located at 1909 S. 74 St.

32. [R-2013-0233](#) Resolution relative to determination of Special Use Permit for CrossFit West Allis, a proposed athletic training facility, to be located at 2086 S. 56 St.

**Sponsors:** Safety & Development Committee

33. [2013-0585](#) Special Use Permit for CrossFit West Allis, a proposed athletic training facility, to be located at 2086 S. 56 St.

34. [R-2013-0230](#) Resolution relative to determination of Special Use Permit Amendment to establish Iago's Burrito Heaven, a proposed new restaurant, to be located at 9130 W. Greenfield Ave.

**Sponsors:** Safety & Development Committee

35. [2013-0581](#) Special Use Permit Amendment to establish Iago's Burrito Heaven, a proposed new restaurant, to be located at 9130 W. Greenfield Ave.

36. [R-2013-0232](#) Resolution relative to determination of Special Use Permit for an outdoor extension of premise at The Buzzard's Nest, an existing tavern, located at 6000 W. Mitchell St.

**Sponsors:** Safety & Development Committee

37. [2013-0582](#) Special Use Permit for an outdoor extension of premise at The Buzzard's Nest, an existing tavern, located at 6000 W. Mitchell St.

#### Passed The Block Vote

**Aye:** 8 - Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

**No:** 0

#### LICENSE & HEALTH COMMITTEE

38. [2013-0589](#) Findings and Recommendations in the Matter of the Complaint Against Dilneet Corporation, d/b/a West Allis Liquor & Tobacco for premises located at 7218 W. Greenfield Ave. (2013-2014 Class A Liquor License renewal application no. 1081, Cigarette License renewal application no. 1081 and 2013-2014 Food-related renewal Permit).



*Attachments:* [Findings of Fact Dilneet 10-15-13.pdf](#)

39. [2013-0607](#) Request to amend premises of The Buzzard's Nest, located at 6000 W. Mitchell Street, for an outdoor extension (2013-2014 Class B Tavern License no. 1965, Instrumental Music License no. 1967, and Dance Hall License no. 1966).  
*Held in License & Health Committee during recess.*
40. [2013-0594](#) 2013-2014 Secondhand Article Dealer License application(s).  
*License application nos. 2010-2012 granted.*
41. [2013-0595](#) Operator's License (bartender/sales clerk) applications.  
*2013-2014 License application no. 327 granted.  
2013-2015 License application nos. 354-356, 358-359, and 361 granted.*
42. [2013-0596](#) Appointment of new agent, Kelly A. Schey, by Smokin' Joe's Pub, LLC, d/b/a Whammy Bar located at 6139 W. Beloit Rd. (2013-2014 Class B Tavern License application no. 1427, Dance Hall License application no. 1428, and Instrumental Music License application no. 1430).
43. [2013-0597](#) Police Department report regarding tavern violations/calls for service for August 30 and the month of September 2013.

*Attachments:* [Police Rept Sept 2013.pdf](#)

44. [2013-0598](#) Police Department Report involving GR's National Pub, 6827 W. National Ave. (2013-2014 Class B Tavern License no. 1613, Dance Hall License no. 1615 and Instrumental Music License No. 1614 of Guy M. Robb, LLC, Guy M. Robb, Agent, Incident Date: August 30, 2013).  
*Held in License & Health Committee during recess.*
45. [2013-0599](#) Police Department Report involving 88 Keys Piano Martini Lounge, 7211 W. Greenfield Ave. (2013-2014 Class B Tavern License no. 1530 and Instrumental Music License No. 1532 of Gregory S. Barczak, Incident Date: September 13, 2013).  
*Held in License & Health Committee during recess.*
46. [2013-0600](#) Police Department Report involving Double Barrel Saloon, 1100 S. 60 St. (2013-2014 Class B Tavern License no. 1524, Dance Hall License no. 1526 and Instrumental Music License no. 1525, of SYRE Enterprises, LLC, Andrew M. Lomax, Agent, Incident Date: September 15, 2013).  
*Held in License & Health Committee during recess.*

47. [2013-0601](#) Police Department Report involving McGuire's Bar, 6235 W. National Ave. (2013-2014 Class B Tavern License no. 820 and Dance Hall License no. 822, McGuire's Bar, Inc., Daniel M. McGuire, Agent, Incident Date: September 21, 2013).
- Held in License & Health Committee during recess.*
48. [2013-0602](#) Police Department Reports involving Quenchers, 7731 W. Becher St. (2013-2014 Class B Tavern License no. 1453, Dance Hall License no. 1455 and Instrumental Music License no. 1774 of Sportz Medicine, LLC, John J. Biwer, Agent, Incident Date: September 22, 2013).
- Held in License & Health Committee during recess.*
49. [2013-0603](#) Police Department Report regarding September 9, 2013 Tobacco Compliance Check involving twenty (20) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification (2013-2014 Cigarette License no. 1769 of Speedway LLC, Daniel B. Polzin, Agent, d/b/a Speedway #4457 at 715 S. 108 St.).
- Attachments:* [Police Rept Sept 2013.pdf](#)
- Held in License & Health Committee during recess.*
50. [2013-0591](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-326 of Julie L. Peltonen.
- Held in License & Health Committee during recess.*
51. [2013-0604](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-328 for Jeffrey R. Stranc.
- Held in License & Health Committee during recess.*
52. [2013-0590](#) 2013-2014 Class B Beer License renewal application no. 805 of Capri Restaurant, Inc., Sheila Hinek, Agent, d/b/a Capri Restaurant located at 8340 W. Beloit Rd.
- Held in License & Health Committee during recess.*
53. [2013-0592](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-352 of Stephen A. Glazer.
- Held in License & Health Committee during recess.*
54. [2013-0605](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-357 for Ashley M. Ambos.
- Held in License & Health Committee during recess.*
- 54a. **2013-0614** 2013-2014 Class B Tavern Special Event Permit application no. 15 of Tap City, Inc., Mary M. Pakula, Agent, d/b/a Tap City USA, 7207 W. National Ave., (2013-2014 Class B Tavern License no. 650, Instrumental Music License no. 1510 and Dance Hall License No. 652) for Taptoberfest on Saturday, October 19, 2013 from 2:00 p.m. to 11:00 p.m. (Back parking lot with tents, tables and live music). Second (2nd) application for 2013-2014 license year.

55. [O-2013-0036](#) Ordinance to Repeal and Recreate Section 7.035 of the City of West Allis Revised Municipal Code Relating to Excessive Noise and Vibration

**Sponsors:** License & Health Committee

56. [2013-0438](#) 2013-2014 Class B Tavern License renewal application no. 1541, Dance Hall License renewal application no. 1543 and Instrumental Music License renewal application no. 1544 of A-R-H Enterprises, LLC, Hugo Jose Juarez, Agent, d/b/a Las Palmas for premises located at 1901 S. 60 St.

**Passed The Block Vote**

**Aye:** 8 - Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

**No:** 0

**ADVISORY COMMITTEE**

57. [2013-0610](#) Appointment by Mayor Devine of Brian Keller as a member of the West Allis Board of Appeals, his term to expire May 1, 2014.

58. [2013-0611](#) Appointment by Mayor Devine of Lawrence Burja as a member of the West Allis Board of Appeals, his term to expire May 1, 2015.

**Passed The Block Vote**

**Aye:** 8 - Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

**No:** 0

**N. ADJOURNMENT**

*to adjourn at 8:38 p.m., with the next regularly scheduled meeting to be held on November 5, 2013, at 7:00 p.m*

*/s/Paul M. Ziehler  
City Administrative Officer  
Clerk/Treasurer*



All meetings of the {bdName} are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

**NON-DISCRIMINATION STATEMENT**

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

**AMERICANS WITH DISABILITIES ACT NOTICE**

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

**LIMITED ENGLISH PROFICIENCY STATEMENT**

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.